IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 851 of 2001

Sattar Ajij Bairagdar .. Petitioner

Vs.

M/s. Ishwar Agency & Anr. .. Respondents

Mr. Ganesh Gole for the Petitioner.

Mr. V. V. Nikam, APP for Respondents.

CORAM: S.K. SHAH, J.

DATE : 18th April, 2006.

P.C.

The private complaint was filed. Initially the Magistrate had issued the process and ordered that it should be tried by summary procedure. Subsequently he converted same as warrant trial for the offence under section 420 of IPC. Against the order of the Magistrate, Revision Application was filed before the 4th Addl. Sessions Judge, Kolhapur. The Addl. Sessions Judge passed the order in the Revision Application. Therefore this petition was filed challenging the legality of the order. The offence under section 420 of Indian Penal Code has to be tried by warrant procedure and the Magistrate has properly passed the order to try the case as a warrant triable case. Thus there is no merit in the petition. The Petition is disposed of.

(S. K. SHAH, J)